

Once a local government has decided to apply for reimbursement, there are a number of basic requirements that must be met to comply with the regulations of the LGR program.

When completing the LGR application, local governments should pay special attention to the following requirements to facilitate the reimbursement process:

Reimbursement cannot supplant local funds normally provided for a response.

In other words, if a local government budgets for emergency response activities, it must draw from this budget to pay for the cost of a response.

However, if a local government's funds have been depleted, then it may be eligible for reimbursement under EPA's LGR program.

In addition, other items that may not be budgeted for (e.g., overtime pay, unanticipated materials and supplies) may also be reimbursable under the LGR program.

Cost recovery must be pursued prior to applying for reimbursement.

The applicant must complete the Cost Recovery Summary Table, included in the application, to document the background and current status of cost recovery efforts.

It should be clear that all available sources of cost recovery (i.e., responsible parties and their insurance, the state, and local government insurance) have been pursued.

Although not required, it is recommended that a copy of all related correspondence also be included in the application to document the applicant's cost recovery efforts.

Potential cost recovery sources should be given a minimum of 60 days to respond before an LGR application is filed.

By signing on the last page of the application, a local government is certifying that cost recovery was pursued.

Detailed cost documentation must be submitted with the application.

The applicant must complete the detailed Cost Breakdown Table, included in the application.

All costs for which reimbursement is being requested must be listed and supporting documentation (e.g., invoices, sales receipts, time sheets, or rental agreements) must be attached.

(Please note: Costs incurred for long-term remedial measures do not qualify under the LGR program. Reimbursement is made only for temporary emergency measures conducted in response to hazardous substance releases, or threatened releases.)

The application must be signed by the local government's highest ranking official.

Examples of the highest ranking official include: Mayor, City Manager, Board of Commissioners Chair, County Judge, or head of a federally recognized Indian Tribe.

In instances where the highest ranking local official is unable to sign the application form, a letter of delegation along with the application that authorizes a delegate to sign the application on his or her behalf, must be submitted.

Applications must be submitted to EPA within one year of the "date of response completion" of the response.

For the LGR program, the date of completion is the date when all field work has been completed and all project deliverables (e.g., lab results, technical expert reports, or invoices) have been received by the local government.

(The date of completion is not determined by cost recovery efforts, which can continue after an application for reimbursement is submitted.)

In general, a local government should allow at least 60 days for each potential source of reimbursement to respond to a request for repayment before submitting an application to LGR.

EPA will consider late applications on a case-by-case basis.